

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ANGELIQUE McKINNEY, as parent
and natural guardian of EBONY
GAGE and RONALD LEWIS GAGE,
JR., and in her own right,
Plaintiffs,**

v.

**PHILADELPHIA HOUSING
AUTHORITY, et al.,
Defendants.**

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CIVIL ACTION

No. 07-4432

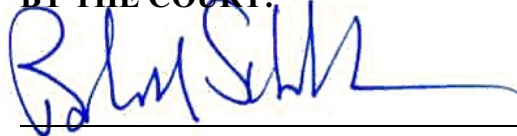
ORDER

AND NOW, this 20th day of **April, 2010**, upon consideration of the Motion for Summary Judgment filed by Robert and Kathleen Stahl, the Motion for Summary Judgment filed by the PHA Defendants, all responses thereto, the April 5, 2010 oral argument on these motions, and for the reasons stated in the Court's Memorandum dated April 20, 2010, it is hereby **ORDERED** that:

1. The Motion for Summary filed by Robert and Kathleen Stahl (Doc. No. 113) is
GRANTED in part and DENIED in part.
 - a. The motion is **GRANTED** on the issue of negligence per se.
 - b. In all other respects, the motion is **DENIED**.
2. The Motion for Summary Judgment filed by the PHA Defendants (Doc. No. 115) is **GRANTED in part and DENIED in part.**
 - a. The motion is **GRANTED** on Plaintiffs' Housing Act claims.
 - b. The motion is **DENIED** with respect to the issue of the State-Created Danger Doctrine.

- c. The motion is **GRANTED** with respect to the issue of qualified immunity.
- Defendants Keith Caldwell, Shane Manila, Laverne French, Naomi Walker, V. Booth, Unknown Appraiser, Unknown Eligibility and Compliance Supervisor, Mike Regan, Unknown Inspector, Anthony Toliver, Glen Eric Cuff, Bill O'Mera, Unknown Team E Floater, Ruby Jones, Vince Sherma, and M. Clark are **DISMISSED** from this case.

BY THE COURT:

A handwritten signature in blue ink, appearing to read 'Berle M. Schiller', is written over a horizontal line.

Berle M. Schiller, J.